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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/475,364	12/30/1999	RAYMOND G. MATHER	E-906	6248

919 7590 01/28/2004

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EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 01/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application N .

09/475,364

Applicant(s)

MATHER ET AL.

Examiner

Akiba K Robinson-Boyce

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Status of Claims***

1. In response to the communication filed on 1/15/04, the following is a final office action. Claims 13 and 16-21 have been cancelled. Claim 1 has been amended. Claims 1, and 3-12 are pending in this application and have been examined on the merits. Claims 1 and 3-12 are rejected. The previous rejection has been withdrawn and the following rejection reflects the claims as amended.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 3-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kadaba et al (EP 0 787 334 B1).

As per claim 1, Kadaba, et al discloses:

A system for tracking receipt and internal movement resulting in a delivery or other final disposition status of items such as packages within an organization...(Col. 1, lines 5-9):

A portable data terminal...(Col. 11, lines 54-55);

Record information regarding the receipt of the item, (Col. 12, lines 7-16);

Record information regarding the internal movement of the item wherein the receipt information and the internal movement information are recorded with a data collection format, (Col. 13, lines 8-16, where the examiner is interpreting the data collection format of the present invention as the bar code information of Kadaba, et al);

A base station capable of communicating with the portable data terminal for uploading electronic files thereto in order to modify the data collection format, (Col. 12, lines 31-44, where the base station of the present invention is analogous to the central computer system of Kadaba et al since the portable data entry device of Kadaba et al transfers information to both the central computer system, also in Col. 3, lines 36-41, Kadaba et al discloses that information is transferred *between* the information storage device of the portable data entry device and the central computer system/personal computer system located at a parcel delivery firm meaning that any information stored at the central computer system can be uploaded to the information storage device of the portable data entry device/personal computer system).

And wherein the system is configurable so as to allow a user to create one or more data collection formats at the base station, transmit the one or more data collection formats to the portable data terminal and to collect data in one of the data collection formats at the portable data terminal, (Col. 10, line 49, lines 54-57

where Kadaba discloses a "Site Configuration" where the user is allowed to alter the configuration of interfaces associated with devices. In this case, Kadaba et al does not specifically mention the configuration of the data collection formats, however Kadaba et al's configuration does include devices [which can include keyboards for data entry/data collection. Therefore, it is obvious that Kadaba et al's configuration would include configuring a data collection format through a device such as a keyboard. In this case, the configuration takes place by way of PC 40's {personal computer was previously shown to represent a base station} main menu screen], Col. 3, lines 48-51, [shows that information can be downloaded to the PDA when logging into the PDA, therefore, when the PDA is used to collect data, the information transmitted to the PDA will be collected according to whatever format that was configured via "Site Configuration"]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the data collection formats to be configurable for a portable data terminal with the motivation of having the ability to collect information from a wide variety of information sources.

As per claims 3, Kadaba, et al discloses:

Further comprising a data processing unit capable of communicating with the portable data terminal...(Col. 3, lines 45-47);

Maintain a database of records...(Col. 3, lines 51-52, Col. 10, line 58-Col. 11, line 3, Col. 11, lines 29-32);

And internal movement...(Col. 4, lines 6-10)

Maintain a database of recipient names...(Col. 4, lines 4-5);

Generate a manifest of selected ones...(Col. 4, lines 16-17, [captured signatures]).

As per claim 4, Kadaba, et al discloses:

Wherein the data processing unit is further programmed to maintain a database of sender names...(Col. 7, line 7);

And carrier names related to said received items...(Col. 5, lines 15-18, Col. 6, line 53-Col. 7, line 5, [driver's PDA information is downloaded]).

As per claim 5, Kadaba, et al discloses:

Wherein the data processing unit is further programmed to provide status information related to said received items through searches...(Col. 13, lines 21-31, Col. 12, lines 25-43).

As per claim 6, Kadaba, et al discloses:

Wherein the portable data terminal is further programmed to associate the receipt of items with the recipients...(Col. 7, lines 2-8).

As per claim 7, Kadaba, et al discloses:

A display device...(Col. 11, line 58);

An inputting device...(Col. 11, line 58-Col. 12, line 3);

A communication device to communicate with the base station...(Col. 12, line 5).

As per claim 8, Kadaba, et al discloses:

Wherein the received items contain barcode...(Col. 13, lines 12-16, Col. 12, line 58).

As per claim 9, Kadaba, et al discloses:

Wherein the information displayed on the display device includes a popup list...(Col. 8, lines 5-18).

As per claim 10, Kadaba, et al discloses:

Wherein the display device displays a plurality of entry fields...(Col. 8, lines 5-18).

As per claim 11, Kadaba, et al discloses:

Further comprising a communication medium...(Col. 12, lines 31-44).

As per claim 12, Kadaba, et al discloses:

Further comprising a connection cradle...(Col. 9, lines 55-58).

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1, and 3-12 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 703-305-1340. The examiner can normally be reached on Monday-Friday 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

QUB

A. R.-B.  
January 22, 2004

Romain Jeanty  
Primary Examiner  
Art Unit 3623